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United States Forest Service*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JANE SCHUMACHER,
Plaintiff,

v.

UNITED STATES FOREST SERVICE,
*an agency of the United States Department of
Agriculture,*
Defendant.

Case No. 2:18-cv-000375-RFB-CWH

**Joint Motion to Defer Early Neutral
Evaluation Session**

Defendant United States Forest Service ("Defendant") and Plaintiff Jane Schumacher ("Plaintiff") hereby jointly move to defer the Early Neutral Evaluation session ("ENE"), currently scheduled for July 30, 2019, until after the close of discovery.

ARGUMENT

Plaintiff has filed a complaint asserting claims for gender discrimination, age discrimination, and disability discrimination arising from her employment with Defendant. (ECF No. 1 ¶¶ 174-232). The Court recently scheduled an ENE for July 30, 2019 at 10:00

1 a.m. (ECF No. 10). On May 28, 2019, Defendant moved to dismiss the complaint. (ECF
2 No. 14). That motion is not yet ripe.

3 The parties seek to defer the ENE until after they have had an opportunity to conduct
4 discovery in the case. Defendant is unlikely to receive authorization from her superiors to
5 resolve the case unless and until significant discovery occurs. Moreover, the parties cannot
6 properly frame the issues in the case until the Court decides Defendant's motion to dismiss.
7 Under the circumstances, participating in an ENE at this time would not be meaningful,
8 productive, or fruitful.

9 **CONCLUSION**

10 For the reasons argued above, the parties respectfully request that the Court defer the
11 ENE, currently scheduled for July 30, 2019, until after the close of discovery.

12 DATED: June 4, 2019.

13 NICHOLAS A. TRUTANICH
14 United States Attorney

15 /s Holly A. Vance
16 HOLLY A. VANCE
Assistant United States Attorney
Counsel for Defendant

15 /s Scott E. Lundy
SCOTT E. LUNDY
16 REMPFER MOTT LUNDY, PLLC
Counsel for Plaintiff

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19 **IT IS SO ORDERED.**

20 Dated: June 5
21 _____, 2019.

22 IT IS HEREBY ORDERED that a
23 status hearing is scheduled for
24 10:00 AM, December 5, 2019, in
Courtroom 3D.



UNITED STATES MAGISTRATE JUDGE